



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

MAY 26 2017

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Matthew R. Serakowski  
Township Manager  
Township of Upper St. Clair  
1820 McLaughlin Run Road  
Upper St. Clair, Pennsylvania 15241

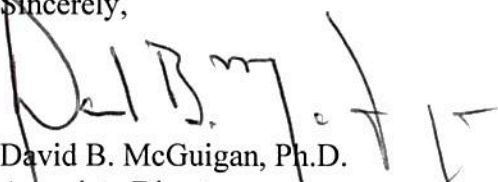
Re: Information Requirement

Dear Mr. Serakowski:

Enclosed please find an Information Requirement issued this date pursuant to Section 308 of the Clean Water Act, 33 U.S.C. § 1318 and requires, among other things, that the Township of Upper St. Clair provide detailed information regarding sanitary sewer overflows, basement backups, and operation and maintenance of the wastewater collection and transmission system. The requirement to provide the Environmental Protection Agency with the information requested is mandatory, and you must respond in accordance with the instructions and deadlines set forth in the Information Requirement.

Please contact Mr. Aryel Abramovitz at (215) 814-2396 if you have any questions regarding this Information Requirement. If you have any legal questions, you may contact Ms. Yvette Roundtree, Assistant Regional Counsel, at (215) 814-2685.

Sincerely,

  
David B. McGuigan, Ph.D.  
Associate Director  
Office of NPDES Permits and Enforcement  
Water Protection Division

Enclosure

cc: Christopher Kriley, P.E. PADEP SWRO





**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029**

In The Matter of	:	
	:	
Township of Upper St. Clair	:	Proceeding under Section 308 of the
1820 McLaughlin Run Road	:	Clean Water Act, 33 U.S.C. § 1318
Upper St. Clair, Pennsylvania	:	
	:	
	:	<b>INFORMATION REQUIREMENT</b>
	:	
Respondent	:	
	:	

**I. STATUTORY AUTHORITY**

1. This Information Requirement is issued under the authority vested in the United States Environmental Protection Agency (EPA) by Section 308 of the Clean Water Act (CWA or the "Act"), 33 U.S.C. § 1318. The Administrator of the EPA has delegated this authority to the Regional Administrator of EPA Region III who in turn has delegated it to the Director of the Water Protection Division of EPA Region III, who in turn has delegated it to the Associate Director of the Office of National Pollution Discharge Elimination System (NPDES) Permits and Enforcement. EPA hereby requires the Township of Upper St. Clair (TUSC or Respondent) to provide the information specified below.

**II. STATUTORY AND REGULATORY BACKGROUND**

2. EPA is authorized under Section 308 of the CWA, 33 U.S.C. § 1318, to require owners and operators of point sources to establish records and make such reports as may be necessary to carry out the purpose of the Act, including but not limited to:
  - a. developing or assisting in the development of any effluent limitation, or other limitation, prohibition, effluent standard, pretreatment standard, or standard of performance under the CWA;
  - b. determining whether any person is in violation of any such effluent limitation, or other limitation, prohibition or effluent standard, pretreatment standard, or standard of performance;

- c. any requirement under Section 308 of the CWA; and
  - d. carrying out Sections 305, 311, 402, 404, and 504 of the CWA.
- 3. Failure to respond as directed to a CWA Section 308 Information Requirement is punishable under the civil and criminal provisions of Section 309 of the CWA, which provide for the assessment of penalties, injunctive relief and imprisonment. Providing misleading or false information may subject you to civil and criminal sanctions. The information you provide may be used by EPA in administrative, civil or criminal proceedings.
  - 4. You may, if you desire, assert a business confidentiality claim covering all or part of the Information Requirement herein in the manner described in 40 C.F.R. Part 2 Subsection B. Information covered by such a claim will be disclosed by EPA only to the extent and by means of the procedures set forth in Subpart B, 40 C.F.R. Part 2. If no claim of confidentiality accompanies the Information Requirement herein when it is received by EPA, it may be made available to the public by EPA without further notice. You may not withhold any information from EPA on the grounds that it is confidential business information. This inquiry is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act 44 U.S.C. Chapter 35. (See 5 C.F.R. Section 1320.3(c)).

### **III. INSTRUCTIONS**

- 5. Provide a separate narrative response for each question contained in this Information Requirement and for each subpart of each question. Precede each answer with the corresponding number of the question to which it responds.
- 6. Identify each person responding to each question contained in this Information Requirement on behalf of the Respondent, as well as each person consulted in the preparation of the response.
- 7. For each question, identify each document consulted, examined, or referred to in the preparation of the response or that contains information responsive to the question, and provide a true and correct copy of each such document if not provided in response to another specific question.
- 8. All submittals with tables or data must be submitted in Microsoft Excel format or in another format as agreed by EPA Region III, and any other text-based document must be submitted in electronic format with embedded searchable text.
- 9. If requested information or documents are not known or are not available at the time of your response to this Information Requirement, but later become known or available, the Respondent must supplement its response to EPA. Moreover, should the Respondent find at any time after submission of its response that any portion is or becomes false,

incomplete, or misrepresents the facts; the Respondent must provide EPA with a corrected response as soon as possible.

10. All submissions provided pursuant to this Requirement shall be signed and dated by a responsible official of Respondent and include the following certification:

***“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”***

Signed \_\_\_\_\_  
Title \_\_\_\_\_  
Date \_\_\_\_\_

11. Submit a copy of your response to the following individual:

Mr. Aryel Abramovitz (3WP42)  
NPDES Enforcement Branch  
Water Protection Division  
U. S. Environmental Protection Agency  
1650 Arch Street  
Philadelphia, PA 19103-2029

12. If you have questions regarding this Information Requirement, you may contact Mr. Aryel Abramovitz of the NPDES Enforcement Branch at (215) 814-2396.

#### **IV. DEFINITIONS**

13. The terms “Document”, “Documents” and “Documentation” shall mean any format that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hard copy, including any form or format of these types. If in computer format or memory, each such document shall be provided in a translated form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include: (a) a copy of each document which is not an exact duplicate of a document which is provided; (b) each copy on which there is any writing, notation, or the like; (c) drafts; (d) attachments to or enclosures with any document; and (e) every other document referred to or incorporated into each document.

14. "Force Main" shall mean any pipe that receives and conveys, under pressure, wastewater from the discharge side of a pump. A Force Main is intended to convey wastewater under pressure.
15. "Gravity Sewer Line" shall mean a pipe that receives, contains and conveys wastewater not normally under pressure, but is intended to flow unassisted under the influence of gravity. Gravity sewers are typically not intended to flow full under normal operating conditions.
16. The term "identify" with respect to a person means to provide that person's name, address, telephone number, title, and relationship to Respondent. The term "identify" with respect to a business entity means to provide that entity's name, address, and relationship to the Respondent, and to provide the name, address, telephone number, and title of an individual who can provide information related to, and on behalf of, the entity.
17. "Infiltration" shall mean water other than wastewater that enters a sewer system (including sewer service connections and foundation drains) from the ground through such means as defective pipes, pipe joints, connections, or manholes, as defined by 40 C.F.R. § 35.2005(b) (20).
18. "Inflow" shall mean water other than wastewater that enters a sewer system (including sewer service connections) from sources such as, but not limited to, roof leaders, cellar drains, yard drains, area drains, drains from springs and swampy areas, manhole covers, cross connections between storm sewers and sanitary sewers, catch basins, cooling towers, storm water, surface runoff, street wash waters, or drainage, as defined by 40 C.F.R. § 35.2005(b) (21).
19. "I&I" shall mean the total quantity of water from Infiltration and Inflow without distinguishing the source.
20. The term "Publicly Owned Treatment Works" (POTW) has the meaning set forth in 40 C.F.R. 403.3(q).
21. "Pumping Station" shall mean facilities comprised of pumps that lift wastewater to a higher hydraulic elevation, including all related electrical, mechanical, and structural systems necessary to the operation of that pumping station.
22. "Sanitary Sewer Overflow" (SSO) shall mean an overflow, spill, diversion, or release of wastewater from the Respondent's Wastewater Collection and Transmission System (WCTS). This term shall include:
  - a. Discharges to waters of the State or United States from the TUSC's WCTS;
  - b. Any release of wastewater from the Respondent's WCTS to public or private property that does not reach waters of the United States or the State, including Building/Private Property Backups; and

- c. Any release of wastewater from treatment or storage tank at a Respondent owned POTW.
23. “Wastewater Collection and Transmission System” (WCTS) shall mean the municipal wastewater collection and transmission systems, including all pipes, interceptors, Force Mains, Gravity Sewer Lines, lift stations, Pumping Stations, manholes and appurtenances thereto, that are owned or operated by the Respondent.

## **V. INFORMATION REQUIREMENT**

Upon thirty days of receipt of this Information Requirement, and pursuant to Section 308 of the CWA, 33 U.S.C. § 1318, please provide the following information:

- 24. Provide a copy of Respondent’s current NPDES discharge permit as well as the application for the NPDES discharge permit.
- 25. Provide a map of the TUSC’s WCTS. The map(s) should include the location of all pump stations/lift stations operated by the TUSC. Include and identify all connections to other municipal or ALCOSAN sewer collection and conveyance systems.
- 26. Provide the TUSC’s procedures for receiving and tracking SSO reports from citizens.
- 27. Provide the TUSC’s procedures for notifying both the Allegheny County Health Department (ACHD) and the Pennsylvania Department of Environmental Protection (PADEP) about the occurrence of SSOs and the procedure for keeping both the ACHD and PADEP informed on the TUSC’s progress regarding eliminating SSOs.
- 28. Provide a list of all constructed overflow points in the WCTS. Include the coordinates of the overflow point and the nearest cross street.
- 29. Provide records of each SSO that occurred in the WCTS or from constructed overflow points in the last five years. The information should include, at a minimum, the date of overflow, location of overflow (latitude/longitude coordinates and street address), total volume discharged, and the cause of the SSO.
- 30. Provide a detailed description of the TUSC’s SSO abatement program, including:
  - a. Corrective action plans;
  - b. Any communications between the TUSC, ACHD and PADEP regarding SSO issues;

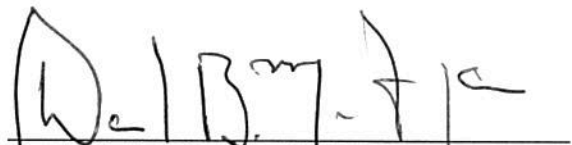
- c. A map of the WCTS where SSOs occurred in the last five years;
  - d. All reports and flow studies of the WCTS developed to identify known wet weather impacts, their severity and identified surcharge conditions or SSO events within any portion of the WCTS; and
  - e. Information on planned SSO abatement projects.
31. Provide information on all basement backups that occurred within the WCTS in the past five years. In your response include at a minimum, the date of the basement backup, the volume of the basement backup, the cause of the basement backup, a map showing the locations of all basement backups, and the cost of any associated insurance settlement claim paid out by TUSC for each basement backup.
32. Provide a detailed description of the TUSC's I&I abatement program, including:
- a. The amount, in miles, of pipe that was rehabilitated or replaced in the last five years;
  - b. Information on planned I&I abatement projects;
  - c. Any I&I studies that are ongoing or have been completed;
  - d. A map of the WCTS where I&I abatement projects are located; and
  - e. An explanation of how stormwater connections to the sanitary sewer (roof drains, sump pumps, etc.) are addressed by the TUSC.
33. Provide a description of all capacity control measures (relief sewers, storage, etc.) projects that have been completed within the past five years as well as any planned projects and implementation completion schedules.
34. Provide a description of the current status of a tap control plan, including but not limited to any related communications with PADEP and any areas within TUSC's WCTS that have restrictions on tap-ins.
35. Provide the quantity of flow in gallons per capita per day generated in the WCTS.
36. Provide a copy of the TUSC's WCTS operation and maintenance plan, which could include a Capacity, Management, Operation, and Maintenance Program (CMOM) or equivalent. Please include the following at a minimum:
- a. The TUSC's schedule for inspection and re-inspection of the WCTS;
  - b. The TUSC's schedule for cleaning the WCTS;

- c. A list of all defects in the WCTS and how defects have been rated (i.e. using the National Association of Sewer Service Companies [NASSCO] or other widely accepted rating system); and
- d. A map that includes the locations of all defects in the WCTS that have been corrected in the past five years.

#### **VI. EFFECTIVE DATE**

This INFORMATION REQUIREMENT is effective upon receipt.

Date: 5/26/17

  
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David B. McGuigan, Ph.D.  
Associate Director  
Office of NPDES Permits and Enforcement  
Water Protection Division

